



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUN 6 2007

Donald F. McGahn II, Esquire
McGahn & Associates
509 7th Street, NW
Washington, DC 20004

Re: MUR 5629
Newberry for U.S. Congress and
R. Mark Morris, in his official capacity as treasurer
Jim Newberry

Dear Mr. McGahn:

This is in reference to the complaint you filed with the Federal Election Commission on December 16, 2004, concerning Newberry for U.S. Congress. Based on that complaint, on March 7, 2006, the Commission found that there was reason to believe Newberry for U.S. Congress and R. Mark Morris, in his official capacity as treasurer, violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter. However, after considering the circumstances of this matter, the Commission determined on April 3, 2007, to take no further action as to Newberry for U.S. Congress and R. Mark Morris, in his official capacity as treasurer. In addition, on May 9, 2007, the Commission determined to dismiss this matter as to Jim Newberry and has closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the dispositive case materials is enclosed for your information.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 2 U.S.C. § 437g(a)(8).

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Donald F. McGahn II
General Counsel
National Republican Congressional Committee
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If you have any questions, please contact me at (202) 694-1650.

Sincerely,


Kamau Philbert
Attorney

Enclosures
General Counsel's Report
Memorandum to the Commission

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